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Sughrue Mion Zinn Macpeak & Seas PLLC 2100 Pennsylvania Avenue N W Washington, DC 20037-3213				
EXAMINER				
JUNTIMA, NITTAYA				
ART UNIT		PAPER NUMBER		
2663				

DATE MAILED: 06/01/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

## Office Action Summary

Application No.

09/708,642

Applicant(s)

KAISER, BERNHARD

Examiner

Nittaya Juntima

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --  
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

### Status

- 1) ☒ Responsive to communication(s) filed on 15 November 2004.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

### Disposition of Claims

- 4) ☒ Claim(s) 1-17 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☒ Claim(s) 12-17 is/are allowed.
- 6) ☒ Claim(s) 1-4 and 8-11 is/are rejected.
- 7) ☒ Claim(s) 5-7 is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

### Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 15 November 2004 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

### Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
  - ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

### Attachment(s)

- ☒ Notice of References Cited (PTO-892)
- ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)  
Paper No(s)/Mail Date \_\_\_\_\_
- ☐ Interview Summary (PTO-413)  
Paper No(s)/Mail Date. \_\_\_\_\_
- ☐ Notice of Informal Patent Application (PTO-152)
- ☐ Other: \_\_\_\_\_

### DETAILED ACTION

1. This action is in response to the amendment filed on 11/15/2004
2. The objection to the claims and drawing, and the rejection under 35 U.S.C. 112, second paragraph are withdrawn in view of applicant's amendment.
3. Claims 1-4 and 8-11 are rejected under 35 U.S.C. 103(a).
4. Claims 12-17 are allowed.
5. Claims 5-7 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

### *Claim Rejections - 35 USC § 103*

6. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

7. Claims 1-2 and 8-11 are rejected under 35 U.S.C. 103(a) as being unpatentable over Sevcik (USPN 6,667,569) in view of Bjornberg et al. ("Bjornberg") (USPN 6,647,111 B1).

Regarding claim 1, Sevcik teaches a process (Fig. 2) for generating service function modules (service applications) for a signaling server (network SCP) which can provide signaling functions for control of communications via a communication network, comprising:

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Making available procedure modules for capturing, processing, and forming signaling messages (screening function block for capturing signaling messages, and routing function block for processing and forming signaling messages, Fig. 3) of a communications network (Fig. 2) by means of a configuration server (service creation environment, SCE in Fig. 2 makes the screening and routing blocks abstracted by SIB available,. See col. 1, ll 48-54, col. 2, ll 1-9, col. 3, ll 40-67, and col. 4, ll 1-12, 27-33).

Making available the service function module (a service application) by the configuration server (SCE, Fig. 2) for the signaling server (network SCP). See Figs. 2-3, col. 3, ll 40-51, 60-67, and col. 4, ll 13-20, see also col. 1, ll 48-54.

Sevcik, however, fails to teach the displaying step, the capturing step, and the combining step as recited in the claim.

In an analogous art of building an IVR application using SCE GUI (col. 9, ll 51-52), Bjornberg teaches:

Displaying the procedure modules (SIBBs) as symbols (icons) via a user interface (GUI) on the configuration server (SCE), see Fig. 5, col. 9, ll 20-21, 59-64, and col. 10, ll 8-13.

Capturing a user-defined selection and arrangement of the symbols (icons) of the procedure modules (SIBBs) on the user interface (GUI) (SCE GUI allows the user to create and save a customer application which includes a sequence of SIBBs selected by the user, Fig. 4, col. 9, ll 20-21, 67-col. 10, ll 16).

Combining the procedure modules (SIBBs) by means of the configuration server (SCE) into a service function module (a customer application) in a manner defined by the selection and arrangement of the respective symbols (icons) of the procedure modules on the user interface

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(GUI), wherein the captured arrangement of the symbols (icons) dictates a flow sequence (call flow) of the procedure modules in the service function module (a customer application). See Fig. 5, col. 9, ll 59-col. 10, ll 16 and see also claim 3, the creating step.

Given the teaching of Bjornberg, it would have been obvious to one skilled in the art at the time the invention was made to modify the teaching of Sevcik to include the steps of displaying, capturing, and combining as recited in the claim. The motivation/suggestion to do so would have been obvious to one skilled in the art to enable the user to create, save, open, print, close, and delete application using SCE GUI as taught by Bjornberg (col. 9, ll 67-col. 10, ll 3).

Per claim 2, as shown in Figs. 2-3, Sevcik teaches that the service function module (a service application) is loaded into the signaling server (network SCP), col. 1, ll 48-54 and col. 3, ll 63-67.

Claim 8 is a configuration server claim corresponding to a process claim 1, and is therefor rejected under the same reason set forth in the rejection of claim 1 with the addition that first provision means, the capture means, combining means, and second provision means must be included to perform the recited functions.

Claim 9 is a signaling server claim corresponding to a process claim 1, and is therefore rejected under the same reason set forth in the rejection of claim 1 with the addition that the signaling server reads on a SCE, and the claim elements: first provision means, the capture means, combining means, and second provision means that enable the signaling server (SCE) to make the service function (a service application) available for execution must be included to perform the recited functions.

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Claim 10 is a computer program claim corresponding to a process claim 1, and is therefore rejected under the same reason set forth in the rejection of claim 1 with the addition that the computer program contains a code with which the steps of the process according to claim 1 can be executed when the computer program is run on a computer. Although the combined teaching of Sevcik and Bjornberg does not teach the computer program as recited in the claim, it would have been obvious to one skilled in the art to implement the steps of process according to claim 1 in a computer program containing a code to be run on a computer in order to provide automatic process execution and avoid human intervention.

Claim 11 is a storage medium claim corresponding to a process claim 1, and is therefore rejected under the same reason set forth in the rejection of claim 1 with the addition that the storage medium can be read by a computer and contains a computer program code with which the steps of the process according to claim 1 can be executed when the computer program code is run on a computer. Although the combined teaching of Sevcik and Bjornberg does not teach the storage medium as recited in the claim, it would have been obvious to one skilled in the art to store the steps of process according to claim 1 in a computer program code to be run on a computer in order to provide portability to the process executable by a computer.

8. Claims 3 and 4 are rejected under 35 U.S.C. 103(a) as being unpatentable over Sevcik (USPN 6,667,969 B1) in view of Bjornberg et al. ("Bjornberg") (USPN 6,647,111 B1), and further in view of "*Signaling System #7*" by Travis Russell (hereafter "Russell").

Regarding claim 3 and 4, although Sevcik teaches that the configuration server (SCE in Fig. 2) is to introduce service data and service programs into the signaling server (SCP in Fig. 2) and a network management server (SMP in Fig. 2) (col. 1, ll 48-54), Sevcik does not teach that

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an interface module for inputting parameter data for the service function module is generated by the configuration server and that the interface module is loaded into a network management server.

However, Russell teaches that the network management server (SMS) connected to the signaling server (SCP) provides human interface to the database, which provides instructions for handling the call based upon the service function module (the customized service instructions), and the capability to input parameter data (update the database containing customized service instructions) when needed (page 21, 2<sup>nd</sup> and 4<sup>th</sup> paragraphs), and the service function module (customized services) is built by the configuration server (SCE) (page 21, last paragraph continuing to page 22), therefore, an interface module for inputting parameter data for the service function module (customized service) must be generated by the configuration server (SCE) and loaded into a network management server (SMS) in order to receive input parameter data via the network management server (SMS).

Therefore, it would have obvious to one skilled in the art at the time the invention was made to include in the combined teaching of Sevcik and Bjornberg that an interface module for inputting parameter data for the service function module is generated by the configuration server and that the interface module is loaded into a network management server. The motivation/suggestion to do so would have been to enable one to update the service function via the network management server.

### ***Conclusion***

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9. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire **THREE MONTHS** from the mailing date of this action. In the event a first reply is filed within **TWO MONTHS** of the mailing date of this final action and the advisory action is not mailed until after the end of the **THREE-MONTH** shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than **SIX MONTHS** from the date of this final action.

10. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Nittaya Juntima whose telephone number is 571-272-3120. The examiner can normally be reached on Monday through Friday, 8:00 A.M - 5:00 P.M.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Ricky Ngo can be reached on 571-272-3139. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.




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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Nittaya Juntima

May 31, 2005

NS

  
RICKY NGO  
PRIMARY EXAMINER  
5/24/05